IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CM No.29-C of 2007 and
RSA NO.5 of 2007

DATE OF DECISION: January 8, 2007

Pipal Singh

….Appellant

VERSUS

M/s Sukhcharan Singh Major Singh, Commission Agents

….
Respondent

CORAM:- HON'BLE MR. JUSTICE VINEY MITTAL

PRESENT: Shri H.S.Brar, Advocate for the appellant.

Viney Mittal,J.(Oral).

For the reasons stated in the application, delay in refiling the appeal is condoned.

The defendant is appellant before this Court.

A suit for recovery of money of Rs.2,18,275/- filed by the plaintiff firm was partly decreed by the trial Court for an amount of Rs.53,555/-. However, the plaintiff firm filed an appeal and claimed that the suit filed by it was required to be decreed in toto. During the course of appeal, the defendant raised various objections with regard to the settlement of accounts and insufficiency of stamp on the entries. The aforesaid objections were rejected by the Appellate Court. It was held that the accounts book produced by the plaintiff firm were duly maintained in the course of its business and as such the claim made against the defendant was duly proved.

Consequently, the appeal filed by the plaintiff firm was partly allowed and the suit was decreed for an amount of Rs.1,27,200/-.

The learned counsel appearing for the defendant appellant has argued that the findings recorded by the First Appellate Court are based upon misreading of evidence. However, no such evidence has been brought to my notice which would support the aforesaid contention. Various other arguments advanced by the learned counsel appearing for the defendant-appellant are mere pleas with regard to appreciation of evidence.

Nothing has been shown that the findings recorded by the First Appellate Court suffer from any infirmity or are contrary to the record.

No substantial question of law, much less any substantial question of law, arises in the present appeal.

Dismissed.

**January 8, 2007** (Viney Mittal)
KD Judge